

THE CITY OF NEW YORK
LAW DEPARTMENT
100 CHURCH STREET
NEW YORK, NEW YORK 10007

HON. SYLVIA O. HINDS-RADIX
Corporation Counsel

MICHAEL PESIN-VIROVETS
Senior Counsel
mpvirove@law.nyc.gov
Phone: (212) 356-2617
Fax: (212) 356-3509

June 21, 2022

BY ECF

Honorable Vera M. Scanlon
United States Magistrate Judge
Eastern District of New York
225 Cadman Plaza East, 1214 South
Brooklyn, New York 11201

Re: Angie Velez et al. v. Artem Prusayev, et al.,
22-CV-1810 (FB) (VMS)

Your Honor:


I am a Senior Counsel in the office of the Honorable Sylvia O. Hinds-Radix, Corporation Counsel of the City of New York, and the attorney assigned to represent defendant City of New York ("City") in the above-referenced matter. Defendant City writes pursuant to the Court's June 9, 2022 Order, directing defendant City to advise the Court as to the progress of the Civilian Complaint Review Board ("CCRB") investigation pertaining to Artem Prusayev. (See Electronic Order dated 6/09/2022.) Defendant City respectfully requests until June 29, 2022 to provide the City's full position on its stay request and position regarding representation of the individual defendant. This is the City's second enlargement request. Plaintiffs take no position as to this request.

By way of background, on June 9, 2022 the Court directed the City to provide a status report by June 15, 2022 regarding representation of Artem Prusayev and the pending administrative prosecution. On June 15, 2022, Defendant City requested an enlargement of time until June 21, 2022 to file its letter with the Court. While Defendant City has been making diligent efforts to communicate with the CCRB, Defendant City has not yet received full and complete answers regarding the information the Court outlined in its June 9, 2022 Order, such as, for example, an updated estimate of the anticipated timeline for the administrative prosecution's completion. Providing this Office until June 29, 2022 should be sufficient time for the City to obtain this additional information regarding the administrative prosecution and provide the Court with a timeline for resolution of any representation issues.

Because of this, defendant City respectfully requests until June 29, 2022, to ascertain its position on the need for a stay during the pendency of the administrative prosecution and regarding the representation of Officer Prusayev. Defendant also requests a corresponding extension, on plaintiff's behalf, for them to file their response in opposition, if any. Defendant apologizes for the repeated requests related to this issue.

The City thanks the Court for its consideration of this request.

Respectfully submitted,

By: 

Michael Pesin-Virovets
Senior Counsel

cc: **BY ECF**
Elena Louisa Cohen
Attorney for Plaintiffs
Cohen Green PLLC
1639 Centre Street, Suite 216
Ridgewood, NY 11385

Remy Green
Attorney for Plaintiffs
Cohen Green PLLC
1639 Centre Street, Suite 216
Ridgewood, NY 11385

Gideon Orion Oliver
Attorney for Plaintiffs
277 Broadway, Suite 1501
New York, NY 10007